IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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THURSDAY, THE TWENTY FIFTH DAY OF AUGUST

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

* * *

WP.No.18873 OF 2005

Between:

Kale Ramaiah & Anr. … Petitioners

Versus

The Director of Mines &Geology,

Hyderabad & Ors. … Respondents

Counsel for the Petitioners: M/s. Nageswar Rao Palle

Counsel for the Respondents 1 & 2 : GP for Revenue

Counsel for the Respondents 3 & 4: GP for Revenue

Counsel for the Respondents 5 & 6: GP for Home

Counsel for the Respondents 7 & 8: None appeared

O R D E R :

This writ petition is filed questioning the action of the official respondents in not taking action on the representations dated 15-6-2005, 17-7-2005 And 07-8-2005 respectively submitted by the petitioners against the unofficial respondents 7 and 8, who are illegally trespassing into their land admeasuring Acs:2-00 guntas and Acs:1-20 guntas situate in survey nos. 264/3 and 289/3 of Gudimalle village of Khammam Rural, Khammam district and carrying quarrying work, as arbitrary, illegal, unjust and consequently direct the official respondents to act upon the

representations forthwith in accordance with law.

It is submitted that the petitioners, who belongs to scheduled caste community are the absolute owners, pattedars and possessors of the agricultural land admeasuring Acs:2-00 guntas and Acs:1-20 guntas situate in survey nos. 264/3 and 289/3 of Gudimalle village of Khammam Rural, Khammam district and eking their livelihood by doing cultivation in the said lands without any interference.

While things stood thus, the respondents 7 and 8 have illegally trespassed into their land and started quarrying the same through proclainers. The petitioners have resisted the acts of respondents 7 and 8 and lodged a complaint before the fifth and sixth respondents on 15-6-2005 seeking to register a case against the respondents 7 and 8. Further the petitioners have submitted another representation on 17-7-2005 before the second and fourth respondents seeking to conduct survey of their land and fix the boundaries and further they also expressed their readiness to pay necessary charges for the survey and fixation of boundaries. The petitioners therefore submit that in spite of submitting the said representations, the official respondents have not taken any action against the respondents 7 and 8, who are proceeding with their illegal activities.

Considering the facts and circumstances of the case and taking into consideration the submission made by the learned counsel for the petitioner, without going into merits or otherwise, I deem it appropriate to dispose of the writ petition at the admission stage directing the official respondents to dispose of the representations dated 15-6-2005, 17-7-2005 And 07-8-2005 respectively submitted by the petitioners against the unofficial respondents 7 and 8 and pass appropriate

orders on merits and in accordance with law, within two weeks, from the date of receipt of a copy of this order, after affording reasonable opportunity of hearing the petitioner as well as the unofficial respondents.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

AUGUST 25th, 2005. ----------

I s L. ELIPE DHARMA RAO , J.